

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
(EASTERN DIVISION)

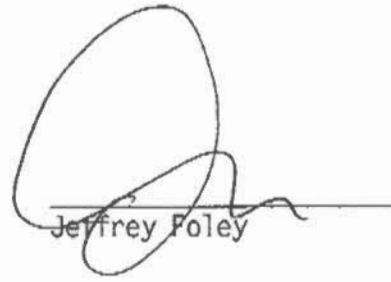
_____)	
M ² CONSULTING, INC.,)	
)	
Plaintiff,)	
)	
v.)	Case No. 03-12589-GAO
)	
)	
MRO SOFTWARE, INC.,)	
)	
Defendant.)	
_____)	

AFFIDAVIT OF JEFFREY FOLEY

I, Jeff Foley depose and state as follows:

1. I am the Vice President and Chief Technology Officer of M2 Consulting, Inc. ("M2"). I have personal knowledge of the facts set forth herein.
2. M2 currently hosts 18 MAXIMO 5 customers. Of the 18 customers, three (3) own their own license from MRO and have hired M2 to operate the program on their behalf.
3. Under the 2000 Agreement, M2 is allowed to continue to provide hosted MAXIMO to the current customer base in perpetuity.
4. M2 has not added a new MAXIMO customer since the August, 2003.

Signed under the pains and penalties of perjury this 13th day of
January, 2006.



Jeffrey Foley

M2:jf aff.doc

FROM : M2 CONSULTING

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